

### **Remarks/Arguments**

Claims 2-13 and 15 are pending in the application. By this amendment, claim 3 has been canceled and claims 2, 5-13, and 15 have been amended.

Applicants' Representative thanks the Examiner for the courtesy of an interview on September 3, 2010, where proposed amendments were discussed with the Examiner in view of the cited prior art. Specifically, proposed amendments, which are now present in independent claim 15, were presented and discussed relative to the prior art. No agreement was reached regarding patentability.

Claim 15 now includes the claim limitation that spaced guide edges extend inwardly from the inside surface of a side of the tank and converge to a drain. Support for this limitation may be found on page 2, paragraph [0016] and in Figures 1-2 of the application as published.

Applicants believe the amendments made herein add no new matter. Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based on prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to be attached thereto.

Reconsideration and reexamination of the application is respectfully requested in view of the amendments and the following remarks.

### **Rejection Under 35 U.S.C. §103(a)**

Claims 2-6 and 15-16 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over European Patent Application No. 1096051 (EP '051) in view of U.S. Patent No. 7,310,978 to Hisano. The rejection is traversed.

Claim 16 was previously canceled; therefore, the rejection with respect to this claim is moot.

EP '051 discloses a clothes washing machine that comprises a washing tub (4) containing a drum (5). The washing machine also includes a discharge circuit (6) that includes a pump (3) and a lint filter (7). During each water discharge phase, a time interval is measured for the time it takes for the water in the tub (4) to lower to a first level (L2). A second time interval is measured for the time it takes the water to lower to a level (L1). When the ratio between the two times is determined to be higher than a given threshold an alarm signals to indicate excess

amounts of detergent.

Hisano '978 is directed towards a washing machine having a rotating tub (32) located within a tub (24). The tub (24) includes a groove (24a), which extends outwardly from the tub (24), at the bottom of the tub (24), to form a sump in which a heating element (26) is located. A drain hole (27) is formed in the rear of the groove (24a).

Amended claim 15 calls for, among other things, a washing appliance having *spaced guide edges extending inwardly from the inside surface of a side of the tank* and converging to a drain to define therebetween an inclined drain surface provided on the inside surface of the tank to collect a portion of the washing liquor.

The combination does not reach the claimed invention. The combination of EP '051 and Hisano '978 would merely result in a clothes washing machine having a drum located in a wash tub wherein the tub has a sump leading to a discharge circuit or drain. The combination would not result in *spaced guide edges extending inwardly from the inside surface of a side of the tank* because neither EP '051 nor Hisano '978 disclose such guide edges, as called for in independent claim 15.

As none of the references disclose these limitations, it is not possible for any combination of the references to disclose these limitations. More specifically, EP '051 does not disclose *spaced guide edges extending inwardly from the inside surface of a side of the tank*. Hisano '978 also does not disclose *spaced guide edges extending inwardly from the inside surface of a side of the tank*. As the references forming the combination do not disclose all of the elements of claim 15, the combination of EP '051 in view of Hisano '978, regardless of how they are combined, will not include such elements of claim 15; namely, the claimed spaced guide edges extending inwardly from the inside surface of a side of the tank. Given that neither EP '051 nor Hisano '978 disclose these elements therein, the combination of the two references will also not disclose these elements.

One of ordinary skill in the art would not look at the combination and then decide to have a washing appliance having *spaced guide edges extending inwardly from the inside surface of a side of the tank* and converging to a drain to define therebetween an inclined drain surface

provided on the inside surface of the tank to collect a portion of the washing liquor. As the combination does not reach the claimed invention, claim 15 is non-obvious and therefore patentable over the combination.

Claims 2-6 depend from independent claim 15. In light of the allowability of independent claim 15, the rejection of claims 2-6 is moot in light of their dependency on an allowable base claim. Applicants request withdrawal of the rejection, and the allowance of claims 2-6.

Claim 8 stands rejected under 35 U.S.C. §103(a) as allegedly unpatentable over EP '051 in view of Hisano '978 and further in view of EP1156318 (EP '318). The rejection is traversed.

Claim 8 ultimately depends from independent claim 15. In light of the allowability of independent claim 15 and because independent claim 15 was not rejected as being obvious over EP '051 in view of Hisano '978 and further in view of (EP '318), the rejection of claim 8 is moot.

Applicants request withdrawal of the rejection, and the allowance of claim 8.

Claims 7, 9, and 11-13 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over EP '051 in view of Hisano '978 and further in view of U.S. Patent No. 6,691,536 to Severns. The rejection is traversed.

Claims 7, 9, and 11-13 ultimately depend from independent claim 15. In light of the allowability of independent claim 15 and because independent claim 15 was not rejected as being obvious over EP '051 in view of Hisano '978 and further in view of Severns '536, the rejection of claims 7, 9, and 11-13 is moot. Applicants request withdrawal of the rejection, and the allowance of claims 7, 9, and 11-13.

Claim 10 stands rejected under 35 U.S.C. §103(a) as allegedly unpatentable over '051 in view of Hisano '978 in view of U.S. Patent No. 6,691,536 to Severns and further in view of DE19821148 (DE '148). The rejection is traversed.

Claim 10 depends from independent claim 15. In light of the allowability of independent claim 15 and because independent claim 15 was not rejected as being obvious over EP '051 in view of Hisano '978 in view of Severns '536 and further in view of DE '148, the rejection of

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claim 10 is moot. Applicants request withdrawal of the rejection, and the allowance of claim 10.

**Conclusion**

Applicants submit that all of the claims remaining in the application are allowable over the prior art of record. Prompt notification of allowability is respectfully requested. If there are any outstanding issues that the Examiner feels may be resolved by way of telephone conference, the Examiner is cordially invited to contact the undersigned to resolve these issues.

Respectfully submitted,

DIETER GRIMM ET AL.

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By: /Sara L. Haas/

Sara L. Haas Reg. No. 64,796  
Mark A. Davis, Reg. No. 37,118  
McGARRY BAIR PC  
32 Market Ave. SW, Suite 500  
Grand Rapids, Michigan 49503  
(616) 742-3500